

REMARKS

Claims 1 through 22 are pending in the application. Claims 1 through 3, 13, 16, and 20 stand rejected under U.S.C. §102(b) as anticipated by Wooklyn '087 as set forth in the previous Office Action dated June 4, 2003.

Claims 4 through 12, 14, 15, 17 through 19, and 21 through 22 have been indicated as allowable but objected to for being dependent upon a rejected based claim.

With the present Amendment, claims 4, 14, 17, and 21 have been amended to be placed in independent form, and are thus allowable. Claims 5 through 11 depend directly or indirectly from Claim 4 and are thus also allowable. Claim 15 depends from Claim 14 and is thus allowable. Claims 18 and 19 depend from Claim 17 and are thus allowable. Claim 22 depends from Claim 21 and is thus allowable.

In the Final Office Action, the Examiner has noted the applicant's previous arguments wherein the device of Wooklyn '087 lacks the second electrical operational state that is not triggered until after the user has severed the sheet, and thereafter automatically dispenses an additional amount of material to define a tail for the next subsequent user. However, such distinctions were not given patentable consideration as they have been found by the Examiner to be functional statements not defining any specific structure.

So that there is no question as to the structural differences between the invention of Claims 1 and 20 with respect to Wooklyn '087, the claims have been amended to in accordance with the "means-plus-function" format of 35 U.S.C.

§112, ¶6 to expressly call for the structure for carrying out the desired function. In particular, the claims have each been amended to call for means for automatically dispensing an additional measured length of the towel material in the second electrical operational state of the feed mechanism, the additional measured length of towel material being electrically and automatically fed out of the dispensing slot after the sheet of towel material is severed to define a tail for the next subsequent user.


As set forth in detail in applicant's previous amendment, such features distinguish over Wooklyn '087.

Applicants respectfully submit that the present Amendment is proper in view of the Final Office Action and does not entail additional search or examination by the Examiner. The arguments have obviously been considered by the Examiner but objected to in the way presented.

Applicants respectfully submit that, with the present Amendment, all claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at her convenience to resolve any remaining issues.

Respectfully submitted,

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